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August 11, 2008

VIA EMAIL AND U.S. MAIL

Ms. Candace Bias
Missouri Department of Natural Resources
Hazardous Waste Program
Compliance and Enforcement Section
P.O. Box 176
Jefferson City, MO 65102-0176

Re: Wal-Mart Stores, Inc.
Supplemental Response to Notice of Violation #5580E

Dear Ms. Bias:

During our meeting at MDNR on August 1, 2008, Wal-Mart clarified specific statements made in its April 21, 2008 Response to NOV No. 5580E (the "Response"). We also indicated we would submit Wal-Mart's clarifications in writing subsequent to our meeting. As we discussed, while Wal-Mart prepared the Response based upon the information available at that time and believed that all of the information in the Response was accurate, Wal-Mart is submitting this letter to supplement and clarify certain statements in the Response with the understanding that it is done as a part of our settlement negotiations.

First, the Response stated that in 2006 Green Leaf approached Wal-Mart with a plan to use/resell some of Wal-Mart's return products. Actually, these discussions predated Green Leaf's corporate existence. In March 2006, nearly seven months before Green Leaf was actually formed, Tom Smith, the owner and principal of Roll-Off Services, Inc., proposed to Wal-Mart to take ownership of fertilizer and pesticides from all Wal-Mart return center locations, guaranteeing all material would be used for its original intention and would be repackaged for sale.

Second, with regard to the liquid pesticides sent to Green Leaf, it was Wal-Mart's policy that such products were to be provided to Green Leaf in their original consumer containers. However, Wal-Mart has learned that at least one Wal-Mart return center poured liquid pesticides into 55-gallon drums before shipping the drums to Green Leaf.

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Finally, in the Response we stated that we would provide copies of any Green Leaf FIFRA registrations that Green Leaf provided us. Attached are copies of the FIFRA registrations which have been provided to Wal-Mart from Green Leaf to date. We do not know if these are all of the FIFRA registrations Green Leaf obtained.

Please note that the information provided in this letter, along with that in our Response, shall not act as a waiver of any legal privilege Wal-Mart may have in connection with this or any related matter.

Thank you for your attention to this matter.

Sincerely,

Dale A. Guariglia
mlh

Dale A. Guariglia
Attachments